### PATENT **ATTORNEY DOCKET NO. 50026/061001**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

INOUE et al.

Confirmation No.: 7683

Serial No.:

10/587,123

Art Unit:

1645

Filed:

July 24, 2006

Examiner:

Not Yet Assigned

Customer No.:

21559

Title:

METHOD FOR PRODUCING VIRAL VECTORS (as amended)

Mail Stop PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# REPLY TO NOTIFICATION OF MISSING REQUIREMENTS

In reply to the Notification of Missing Requirements that was mailed in connection with the above-captioned application on January 8, 2007, a copy of which is enclosed, applicant, as a large entity, submits the following:

A Combined Declaration and Power of Attorney in compliance with 37 C.F.R. § 1.497(a) and (b), identifying the application by the international application number and international filing date.

A surcharge under 37 C.F.R. § 1.492(h) of \$130.00, because the declaration is being submitted after 30 months from the priority date.

If there are any additional charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: 18 Jan 2007

James D. DeCamp, Ph.D.

Reg. No. 43,580

Clark & Elbing LLP 101 Federal Street Boston, MA 02110

Telephone: 617-428-0200 Facsimile: 617-428-7045



#### United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Vignia 22313-1450 www.uspto.gov

FIRST NAMED APPLICANT ATTY. DOCKET NO. U.S. APPLICATION NUMBER NO.

Makoto Inoue 10/587,123

50026/061001

INTERNATIONAL APPLICATION NO.

PCT/JP05/00708

I.A. FILING DATE 01/20/2005

PRIORITY DATE 01/22/2004

21559 **CLARK & ELBING LLP** 101 FEDERAL STREET BOSTON, MA 02110

**CONFIRMATION NO. 7683 371 FORMALITIES LETTER** \*OC000000021880890\*

Date Mailed: 01/08/2007

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

Copy of the International Application filed on 07/24/2006

English Translation of the IA filed on 07/24/2006

- Copy of the International Search Report filed on 07/24/2006
- Preliminary Amendments filed on 07/24/2006
- Biochemical Sequence Diskette filed on 07/24/2006
- Oath or Declaration filed on 07/24/2006
- Biochemical Sequence Listing filed on 07/24/2006
- Request for Immediate Examination filed on 07/24/2006
- U.S. Basic National Fees filed on 07/24/2006
- Priority Documents filed on 07/24/2006

ACTION DUERPX DUE DATE 3.( ESP INITIALS

The applicant needs to satisfy supplemental fees problems indicated below.

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

• \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web. https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at http://www.uspto.gov/ebc.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

#### PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/587,123                  | PCT/JP05/00708                | 50026/061001     |

FORM PCT/DO/EO/905 (371 Formalities Notice)